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PATENTS

FACSIMILE CERTIFICATION

I hereby certify that this paper and every paper referred to therein as is being transmitted via facsimile, to USPTO fax number: (571) 273-8300, to the United States Patent and Trademark Office, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 12, 2007

By

Estela Diaz

PLEASE CHARGE ANY
DEFICIENCIES UP TO \$600 OR
CREDIT ANY EXCESS IN THE FEES
DUE WITH THIS DOCUMENT TO
OUR DEPOSIT ACCOUNT No. 14-1263

Attorney Docket: 102132-26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): BEMMER, Renc; BRITSCH, Matthias
SERIAL NO.: 10/532, 008
FILING DATE: April 20, 2005
FOR: Internet protocol based multimedia system (IMS)
ART UNIT: TO BE ASSIGNED
EXAMINER: TO BE ASSIGNED

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

On March 5, 2007, Applicant received a Notice of Abandonment in the above-identified application, which indicated that the application was abandoned "because of Applicant's failure to respond to the Notice to File Missing Parts mailed on 10/06/2005."

Applicant hereby petition the Commissioner to exercise his authority and withdraw the

03/13/2007 AWONDAF1 00000023 141263 10532000
01 FC:1051 130.00 DA

Notice of Abandonment in view of the following facts:

A Notice to File Missing Parts was mailed to Applicant by the Patent Office on October 6, 2005, and required that an Oath or Declaration be filed by December 6, 2005. Apparently the Declaration, which Applicant filed on November 14, 2005, together with filing fee transmittal was not matched with Applicant's file due to a clerical error on the Facsimile cover sheet. However, the response to file missing parts and the Notification of Missing Requirements listed the correct Serial Number.

A copy of the Declaration and the fee transmittal form all faxed on November 14, 2005, are annexed hereto. The Commissioner will note that the fee transmittal form authorized the payment of the \$130.00 surcharge for late filing of the declaration from the undersigned's deposit account.

Also enclosed is a copy of PTO Auto-Reply facsimile Transmission and Applicant's own copy of Facsimile transmission showing that the declaration was actually transmitted to the Patent Office on November 14, 2005.

The Auto-reply facsimile Transmission constitutes prima facie evidence that the Response to Notice to File Missing Parts was timely filed (see MPEP 512).

In short, Applicant submit that the reply, which the Notice of Abandonment indicates was not received, was, in fact, actually received within the time period allowed and that the Application was not abandoned.

Applicant request, therefore, that the Commissioner exercise his authority and correct the record to show that this application is pending and has not been abandoned. Specifically, it is respectfully requested that the Notice of Abandonment be withdrawn and the application returned to active status.

Applicant does not believe that a fee is required for this petition. However, should the

Commissioner determine that any fee is, in fact, due, he is hereby authorized to charge the fee due to
Deposit Account No. 14-1263.

Early and favorable action is earnestly solicited

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A

By Christa Hildebrand

Christa Hildebrand

Reg. No. 34,953

Norris McLaughlin & Marcus PA

875 Third -18th Floor

New York, New York 10022

(212) 808-0700

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 3450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/532,008	FIRST NAMED APPLICANT Rene Bommier	ATTY. DOCKET NO. 102132-26 <i>CH</i>
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27388
 NORRIS, MCLAUGHLIN & MARCUS
 875 THIRD AVE
 18TH FLOOR
 NEW YORK, NY 10022

NORRIS, MCLAUGHLIN & MARCUS, PA

INTERNATIONAL APPLICATION NO. PCT/EP03/12042	
I.A. FILING DATE 10/30/2003	PRIORITY DATE 10/31/2002

CONFIRMATION NO. 3839

**371
 ABANDONMENT/TERMINATION
 LETTER**

OC000000022723060

Date Mailed: 03/02/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 10/06/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

TRANSMISSION VERIFICATION REPORT

TIME : 11/14/2005 17:41
NAME : NORRIS MCLAUGHLIN
FAX : 2128080844
TEL : 2128080700
SER.# : BROH4J813005

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

11/14 17:39
915712738300
00:02:07
08
OK
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ECM

NORRIS, McLAUGHLIN & MARCUS

A PROFESSIONAL CORPORATION

875 THIRD AVENUE
18TH FLOOR
New York, NY 10022
(212) 808-0700
Facsimile: (212) 808-0844

FACSIMILE COVER SHEET

TO: United States Patent and
Trademark Office

Serial No.: 10/532,088

TELEFAX:

Mail Stop PCT

571-273 -8300

COMPANY/FIRM:

Norris McLaughlin & Marcus

FROM:

Christa Hildebrand

ATTORNEY DOCKET NO.:

102132-26

DATE:

November 14, 2005

MESSAGE:

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

- Response to Notice to File Missing Requirements (2 sheets)
- Copy of Notice (2 sheets)
- Declaration (2 sheets)
- Fee Transmittal (1page) - Charge Deposit Account

USPTO 11/14/2005 4:40 PM PAGE 1/001 Fax Server
 auto-reply fax to 2128080844 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 2128080844

Fax Information

Date Received:

11/14/2005 4:37:21 PM [Eastern Standard Time]

Total Pages:

8 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPEP) section 306 et seq.

Received
Cover
Page
=====>

11/14/2005 17:39	2128080844	NORRIS MCLAUGHLIN	PAGE 01/08
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 570 THIRD AVENUE
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FACSIMILE COVER SHEET

TO: United States Patent and Trademark Office	Serial No.: 10/532,088
TELEFAX:	Mail Stop PCT 571-273-8300
COMPANY/FIRM:	Norris McLaughlin & Marcus
FROM:	Christa Hildebrand
ATTORNEY DOCKET NO.:	102132-26
DATE:	November 14, 2005

MESSAGE:

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- Copy of Notice (2 sheets)
- Declaration (2 sheets)
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CHARGE DEPOSIT ACCOUNT 14-1263

By Christa Hildebrand Date November 14, 2005

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PAGE 01 * RCVD AT 11/14/2005 4:37:21 PM [Eastern Standard Time] * SVR:USPTO-EFAX-3/0 * DNIS:2738300 * CSID:2128080844 * DURATION (mm:ss):03:36

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FACSIMILE COVER SHEETTO: United States Patent and
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Serial No.: 10/532,088

TELEFAX:

Mail Stop PCT

571-273 -8300

COMPANY/FIRM:

Norris McLaughlin & Marcus

FROM:

Christa Hildebrand

ATTORNEY DOCKET NO.:

102132-26

DATE:

November 14, 2005

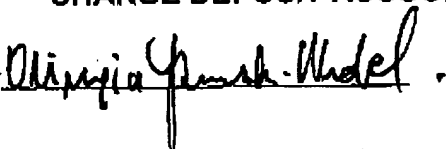
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By

Date November 14, 2005

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P.O. Box 1018
Somerville, NJ 08876-1018
Telephone: (908) 722-0700 Facsimile: (908) 722-0755

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FACSIMILE CERTIFICATION

I hereby certify that this paper and every therein
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Olimpia Jakubowska *4/14/05*
Olimpia Jakubowska-Wrobel Date
Fax No. 571-273-8300

PATENTS

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DOCUMENT TO OUR DEPOSIT
ACCOUNT No. 14-1263

Attorney Docket: 102132-26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): BEMMER, Rene; BRITSCH, Matthias
SERIAL NO.: 10/532, 008
FILING DATE: April 20, 2005
FOR: Internet protocol based multimedia system (IMS)
ART UNIT: TO BE ASSIGNED
EXAMINER: TO BE ASSIGNED

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US), submitted herewith is:

a) copy of Notification of Missing Requirements under 35 U.S.C. 371 in the
United
States Designated/Elected Office (DO/EO/US);

Response to Notification of Missing Requirements
10/532,008

Page 1

- b) the declaration required under 37 CFR 1.63; and
- c) Fee Transmittal Form authorizing payment of the fees to deposit account no.

14-1263

Respectfully Submitted,



Christa Hildebrand (34,953)
Attorney Applicant
Norris, McLaughlin & Marcus P.A.
875 Third Avenue -18th Floor
New York, N.Y. 10022
Telephone: (212)808-0700
Facsimile: (212)808-0844

Attorney Docket No. 102134-26
Norris, McLaughlin & Marcus, P.A.
Page 1 of 2

COMBINATION DECLARATION & POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

INTERNET PROTOCOL BASED MULTIMEDIA SYSTEM (IMS)

the specification of which is being filed concurrently herewith.

OR

the specification of which was filed on _____ as United States application
Serial No. ____/____, _____

OR

The specification of which was filed on October 30, 2003 as PCT International Application
No. PCT/EP03/12042.

I hereby state that I have reviewed and understand the contents of the above identified
specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this
application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any
foreign application(s) for patent or inventor's certificate listed below and have also identified
below any foreign application for patent or inventor's certificate having a filing date before
that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

EP 02024256.6
(Number)

Europe
(Country)

October 31, 2002
(Day/Month/Yr. Filed)

☒ yes ☐ no

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional
Application(s) listed below.

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States

Attorney Docket No. 102134-28
Norris, McLaughlin & Marcus, P.A.
Page 2 of 2

application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) ^a	(Filing Date)	(Status) (patented, pending, abandoned)
---------------------------------------	---------------	--

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punished by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint

☒ Practitioners Associated with the
Customer Number:

27388

as my/our attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from the Assignee of this application as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned.

DIRECT TELEPHONE CALLS TO:
Christa Hildebrand (212) 808-0700

FULL NAME OF SOLE OR FIRST INVENTOR: BEMMER, Rene
INVENTOR'S SIGNATURE: Rene Bemer DATE: 20/06/2005
RESIDENCE: Klufterstrasse 20 CITIZENSHIP: German
POST OFFICE ADDRESS: D- 53175 Bonn, Germany

FULL NAME OF SECOND INVENTOR: BRITSCH, Matthias
INVENTOR'S SIGNATURE: Matthias Britsch DATE: 22.06.2005
RESIDENCE: Steinweg 4a CITIZENSHIP: German
POST OFFICE ADDRESS: D- 53639 Thomasberg, Germany

MAR 12 2007

Doc Code: 102132-26

PTO/SB/17 (12-04v2)
Approved for use through 07/31/2006, OMB 0851-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL for FY 2005		Application Number	10/532,008
		Filing Date	April 20, 2005
		First Named Inventor	Rene Bemmer
		Examiner Name	to be assigned
		Art Unit	to be assigned
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	102132-26
TOTAL AMOUNT OF PAYMENT (\$)		\$130.00	

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____
<input checked="" type="checkbox"/> Deposit	Deposit Account Number: <u>14-1263</u> Deposit Account Name: <u>Norris McLaughlin & Marcus</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$50.00	\$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$200.00	\$0.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(b)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	0	\$250.00	\$0.00

4. OTHER FEE(S)

Non-English specification,	\$130 fee (no small entity discount)	
Other (e.g., late filing surcharge):	Surcharge for late submission of Oath/Declaration	\$130.00

SUBMITTED BY			
Signature	<u>Christa Hildebrand</u>	Registration No. (Attorney/Agent)	34,953
Name (Print/Type)	Christa Hildebrand	Telephone	212-808-0700
		Date	November 14, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NORRIS, MCLAUGHLIN & MARCUS

A PROFESSIONAL CORPORATION

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18TH FLOOR
New York, NY 10022
(212) 808-0700
Facsimile: (212) 808-0844

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FACSIMILE COVER SHEET

TO: United States Patent and
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SERIAL NO.: 10/532,008

TELEFAX:

MAIL STOP**571-273-8300**

ATTORNEY DOCKET NO.:

102132-26

DATE:

March 12, 2007

MESSAGE:

I hereby certify that the following papers are being transmitted by facsimile to the Patent and Trademark Office on the date shown below:

- Petition to Withdraw Holding of Abandonment (3 pages)
- Fax Cover sheet (1 page)
- Notification of Abandonment (1 page)
- Transmission Verification Report (1 page)
- Auto-Reply Facsimile Transmission (1 page)
- Fax Cover Sheet sent on 11/14/05 (1 page)
- Response to File Missing Requirements sent on 11/14/05 (2 pages)
- Fee Transmittal sent on 11/14/05 (1 page)
- Oath & Declaration sent on 11/14/04 (2 pages)

By Estela Diaz

Date: March 12, 2007

We are transmitting 13 pages, including cover page. If the transmission is not complete, please call (212) 808-0700 and ask for Estela Diaz at Ext. 8871.

This is the only form of delivery for this document:

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Telephone: (908) 722-0700 Facsimile: (908) 722-0755